

## REMARKS

### Status

Claims 22-42 are pending. Claims 22 and 41 are independent claims.

### Claim Rejections under 35 USC § 103

Claims 1-6, 9-13, and 16-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over European Patent Application EP 1 132 796 A1 (Mas Ribes) in view of United States Patent No. 6,766,353 (Lin et al.).

Claim 22 recites three “separate” files:

- (1) a **security descriptive file** including “authorization information” (“indicating an allowable range of an operation of the software” in the entity file).
- (2) an **application descriptive file** including “information dependent upon an entity file and information showing a stored location of the entity file”.
- (3) an **entity file** “including software”.

Claim 22 recites that the security descriptive file is transmitted “from an administering server unit to a terminal unit”. The terminal unit, “using the application descriptive file”, obtains the entity file. See also claim 41.

The three files recited in claims 22 and 41, and the steps of obtaining the files are not taught or suggested by the cited references either alone or in combination. For example, the Mas Ribes reference discloses “attaching” a certificate to a mobile program. The certificate includes a Resource Requirement List (RRL), Name of the resource and Action of the resource. See paragraph 0056. In Mas Ribes, the term “attach” means not only a logical link but also a physical link. See paragraph [0057]. At best, one may argue that the certificate in the Mas Ribes reference corresponds to the security descriptive file recited in Claims 22 and 41, though not a separate file. However, the Mas Ribes reference fails to teach or even suggest any way to distribute the certificate. And, the Mas Ribes reference fails to teach or even suggest the application descriptive file recited in claims 22 and 41.

The Lin reference discloses a software distributing system using an application descriptive file and a jar file. In the Lin reference, a “signed ADF” is used. The “signed ADF” is different from a conventional ADF in that it includes an electronic signature of the jar file.

The signed ADF also dictates what resources can be accessed by a terminal executing the software. See column 3, lines 12-16. The Lin reference fails to teach several limitations as currently recited. First, the Lin reference fails to teach or suggest any security descriptive file as recited in claims 22 and 41. Second, the Lin reference requires a signed ADF, thereby suffering from the problems discussed in the background section of the present application. Specifically, the Lin reference requires the application descriptive file (the “signed ADF”) include an electronic signature of the jar file. If the jar file is modified or the location of the jar file is changed, the signed ADF must likewise be changed. For example, if the content of the jar file is changed, the electronic signature must necessarily change. “However, since the ADF is administered by a trustworthy organization and excludes involvement of other agents, the updating operation of an ADF could become a very busy one.” Paragraph [0010]. The present invention as currently claimed requires the three separate files (security descriptive file, application descriptive file, and entity file), which the Lin reference fails to disclose.

Moreover, even combining the references does not render the claims obvious. As an initial matter, Applicants question the combination of the Mas Ribes and Lin references. Both the Mas Ribes and the Lin references include certificates, with the Mas Ribes reference including a file (argued to be the security descriptive file) that has a certificate for the mobile program and with the Lin reference including an application descriptive file with a certificate for the program. The certificates taught in each of the Mas Ribes and Lin references conflict with one another, thereby making it difficult for one skilled in the art to combine the teachings of each of the references. Further, the purpose behind each of the certificates in the Mas Ribes and Lin references is to enable verification of the jar file without the need to look at anything else (such as another file). For example, the Lin reference teaches an ADF that is signed (so that the jar file may be verified without the need to look at any other file).

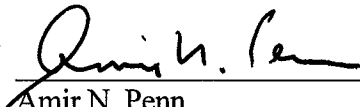
Even if the references were combined (which applicants do not believe is proper), the combination would still not teach the invention as claimed. The claims recite that there are three files: the security descriptive file; the application descriptive file; and the entity file. Though each of these files may be inter-related function-wise, they are “separate” from one another as recited in the claims. The combination of the Mas Ribes and Lin references, at best, teaches two files: a signed ADF file and an entity file with a certificate attached. This limits the ability in

which to sequence both the sending and the analyzing of the various files. Therefore, the claims as currently presented are patentable over the cited references.

**SUMMARY**

If any questions arise or issues remain, the Examiner is invited to contact the undersigned at the number listed below in order to expedite disposition of this application.

Respectfully submitted,

  
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Amir N. Penn  
Registration No. 40,767  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200